

Message Text

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PAGE 01 BRASIL 03960 261819 Z

63

ACTION COA-02

INFO OCT-01 ARA-11 ADP-00 EB-11 COME-00 INT-08 CG-00 AID-20

CIAE-00 DODE-00 PM-07 H-02 INR-10 L-03 NSAE-00 NSC-10

PA-03 RSC-01 PRS-01 SS-15 USIA-12 RSR-01 /118 W

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R 261651 Z JUN 73

FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC 8335
INFO AMCONSUL BELEM

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E. O. 11652: N/ A

TAGS: EFIS, BR

SUBJ: SHRIMP AGREEMENT

REF: BRASILIA 3721

1. EMBASSY HAS RECEIVED FONOFF NOTE, DATED JUNE 19, 1973
(PARAS 4 AND 5 REFTEL) CONTAINING FOLLOWING:

A) REQUEST FOR COMPLETE AND DEFINITIVE LIST OF
VESSELS OPERATING UNDER AGREEMENT BY JULY 1.

B) LIST OF 182 VESSELS (ANNEX 1) CONSIDERED IN COM-
PLIANCE WITH AGREEMENT.

C) REQUEST FOR INFORMATION ON UB-84, 185, 191, 192,
201, 202, 203, 209, 210, 211, 212 AND 213 (ANNEX 2).

D) LIST OF BOATS THAT WILL BE DETAINED: UB-065, 066,
067, 068, 070, 073, AND 160 (ANNEX 3).

E) CONFIRMATION OF 10- DAY WAITING PERIOD FOR EFFECTIVE-
NESS OF REGISTRATIONS.

F) REFERENCE TO NON- COMPLIANCE WITH REQUIREMENTS FOR
DISPLAY AND ILLUMINATION OF IDENTIFICATION NUMBERS.

2. EMBASSY TOOK OCCASION OF TRANSMITTAL OF LATEST
BOAT LIST (A-4954) TO MAKE INITIAL FORMAL REPLY TO
MINISTRY' S NOTE. IN ADDITION TO TRANSMITTING LIST,
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PAGE 02 BRASIL 03960 261819 Z

EMBASSY NOTED THAT PHOTOS AND INFO ON SEVERAL BOATS ON ANNEX 2 LIST HAVE ALREADY BEEN PROVIDED AND THAT DATA FOR SOME BOATS ON ANNEX 3 LIST ARE BEING SENT (DATA ON UB-160 ALREADY RECEIVED AND FORWARDED). TO AVOID POSSIBLE MISUNDERSTANDING WE ALSO RECALLED TO MINISTRY THAT 10- DAY PERIOD DATES FROM TIME UB NUMBER IS ISSUED BY DEPARTMENT. EMBASSY ALSO REAFFIRMED THAT DEPT IS MAKING REPRESENTATIONS TO BOAT OWNERS ON DOCUMENTATION AND IDENTIFICATION.

3. ANOTHER FONOFF NOTE DATED MAY 31, 1973 (NOT PREVIOUSLY REPORTED TO DEPT), WHICH SAID THAT THE BOAT LIST TRANSMITTED ON MAY 15 (A-3848) WOULD BE EXAMINED BY GOB AUTHORITIES, ALSO MENTIONED THAT DATA ON SOME BOATS LACKED INFO ON RADIO FREQUENCIES. EMBASSY HAS REPLIED BY NOTING THAT NOTES EXCHANGED ON JUNE 30, 1972 SPECIFIED FREQUENCIES FOR COMMUNICATION BETWEEN FISHING BOATS AND ENFORCEMENT VESSELS.

4. REQUEST ANY FURTHER RESPONSE DEPT MAY WISH TO MAKE TO GOB NOTE.

5. INFORMAL TRANSLATION OF NOTE DATED JUNE 19, 1973: BEGIN TEXT. THE MINISTRY OF FOREIGN AFFAIRS COMPLIMENTS THE EMBASSY OF THE UNITED STATES OF AMERICA AND WITH REFERENCE TO PERSONAL TALKS HELD BETWEEN EMBASSY OFFICIALS AND REPRESENTATIVES OF THE NAVY MINISTRY AND THIS MINISTRY, ON THE 1 ST AND 13 TH OF JUNE ABOUT OPERATIONAL ASPECTS OF BRAZIL- UNITED STATES SHRIMP AGREEMENT, HAS THE HONOR TO REITERATE THE REQUEST MADE ON BOTH OCCASIONS THAT A COMPLETE AND DEFINITIVE LIST OF THE VESSELS REFERRED TO IN PARAGRAPH 4 OF THE EMBASSY' S NOTE NO. 223, DATED JUNE 30, 1972 BE SUBMITTED BY JULY 1.

2. THIS REQUEST IS BEING MADE DUE TO THE NECESSITY THAT THE BRAZILIAN NAVAL AUTHORITIES HAVE A PERFECT REGISTER OF THE AMERICAN SHRIMP BOATS THAT AFTER ONE YEAR FROM THE SIGNING OF THE AGREEMENT, WISH TO FOLLOW THE DEFINITE REQUIREMENTS OF THAT AGREEMENT, SO THAT IN THE FUTURE EVENTS SUCH AS THOSE INVOLVING THE VESSELS, APOLLO XII, GULF STREAM II AND MISS DORIS, CAN BE AVOIDED.

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PAGE 03 BRASIL 03960 261819 Z

3. THE MINISTRY OF FOREIGN AFFAIRS ADDS, ACCORDING TO THE PROVISIONS OF PARAGRAPH 3, ARTICLE IV OF SHRIMP AGREEMENT, THAT THE REQUIREMENTS ESTABLISHED IN THE AGREEMENT ARE CONSIDERED SATISFACTORY WITH RESPECT TO THE VESSELS LISTED IN ANNEX 1, THAT INFORMATION ON THE VESSELS LISTED IN ANNEX 2 BE TRANSMITTED IN THE SHORTEST TIME POSSIBLE,

AND THAT IT CONSIDERS THE VESSELS LISTED IN ANNEX 3, FOR LEGAL PURPOSES SUBJECT TO ALL THE RULES OF INSPECTION STATED IN THE AGREEMENT. IT IS ALSO NECESSARY TO INDICATE IN THIS CONTEXT THAT THE BRAZILIAN INSPECTION AUTHORITIES HAVE BEEN PROPERLY INSTRUCTED TO STOP NOT ONLY THE VESSELS REFERRED TO IN ANNEX 3 BUT ALSO ANY OTHER NON- REGISTERED VESSEL THAT MIGHT BE FOUND IN BRAZILIAN TERRITORIAL WATERS.

4. CONFIRMING THE UNDERSTANDINGS THAT RESULTED FROM THE MEETINGS ON THE 1 ST AND 13 TH OF JUNE, THE MINISTRY OF FOREIGN AFFAIRS CONSIDERS ESSENTIAL THAT EACH AND EVERY BOAT, WHOSE INTENTION TO FISH IN THE AGREEMENT AREA IS HENCEFORTH COMMUNICATED, WAIT A PERIOD OF 10 DAYS AFTER QUALIFYING UNDER THE TERMS OF ARTICLE 4 OF THE AGREEMENT, BEFORE ENTERING THE AREA AGREED UPON FOR FISHING OPERATIONS.

5. FINALLY, THE MINISTRY OF FOREIGN AFFAIRS REITERATES ITS OBSERVATIONS RELATIVE TO THE NON- COMPLIANCE BY SOME VESSELS, WITH THE PROVISIONS OF PARAGRAPHS 7 AND 8 OF ATTACHMENT A OF NOTE NO. 223, AS WELL AS TO THE SUGGESTIONS GIVEN AS TO THE DOCUMENT THAT BOAT CAPTAINS SHOULD CARRY WITH THEM AND ALSO TO THE HOISTING OF THEIR FLAG WHEN THEY ARE SIGHTED BY NAVY VESSELS OR BY AIRCRAFT OF THE BRAZILIAN AIR FORCE. END TEXT.
CLEVELAND

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